

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN DOE # 1,
JOHN DOE # 2,
JOHN DOE # 3,
VINCENT DIBERARDINO,
JOHN DOE # 5,
MICHAEL HUYCK,
JOHN DOE # 7,
JOHN DOE # 8,
BRANDON MOORE,
JOHN SEBES, and
GARY REIBERT,

Defendants.

8:13CR107

ORDER

This matter is before the court on the motion to extend motion filing deadline by defendant Gary S. Reibert (Reibert) (Filing No. 99). Reibert seeks until October 1, 2013, in which to file pretrial motions in accordance with the progression order. Reibert's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted as to all co-defendants.

IT IS ORDERED:

Defendant Reibert's motion for an extension of time (Filing No. 99) is granted. **All defendants** are given until on or before **October 1, 2013**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between September 6, 2013, and October 1, 2013**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity

of this case. The failure to grant additional time might result in a miscarriage of justice.
18 U.S.C. § 3161(h)(7)(A) & (B).

Dated this 9th day of August, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge